

to moving to conference for the simple reason that this issue will be resolved a different way, but, more importantly, pertinent to S. 1315 the mechanism is already in place that takes away the funds that are used to fund this expansion in S. 1315.

The PRESIDING OFFICER. Objection is heard.

The Senator from Hawaii.

Mr. AKAKA. Mr. President, I am disappointed and somewhat surprised that objection has been made on this motion. I must tell my colleagues that I have deep respect for my friend and colleague and my ranking member. I respectfully say that this objection is one that disappoints me, but it has been made to this motion. The intent of the motion is to create a mechanism by which there might be further action on this very important veterans legislation before the Congress goes into recess.

Last week, when I sought a UC with reference to this legislation, I did so by seeking to utilize an unrelated House bill as a vehicle to create a conference. In objecting to that approach, the Senator from Idaho said my approach was a tactic he hoped we would not use to address this important issue. He objected. While I did not agree that this tactic was inappropriate, given the lack of action in the House on S. 1315 at the time, I recognized the merits of the Senator's position.

Now, however, the motion is to use the same bill, S. 1315, as passed by both Houses. That is, in fact, the normal process, the regular order for resolving differences between the Houses. I addressed the Senator's concerns and am disappointed to see his Republican colleague objecting. I wish to remind my colleagues this bill passed the Senate by a vote of 96 to 1. Surely there must be some willingness to stand by the Senate position, to validate the Senate's action.

As I noted last week, this bill would improve benefits and services for veterans, both young and old. There are many provisions that address a broad range of veterans benefits. This bill deserves to be resolved and brought to a final vote. I realize there is some opposition to the provision which allows this legislation to meet pay-go requirements through the legislative reversal of a case known as Hartness.

According to the one veterans organization that has expressed its opposition, the concern is not over the merits of the court decision. They simply oppose this effort to correct a mistake. The court's decision resulted in veterans receiving an extra pension benefit based solely on their age. This is not what Congress intended. I have not seen any analysis of the legislative history that supports that result.

The purpose of the provision in S. 1315 is simply to restore the law to what it was supposed to be. Those who have characterized it as an attempt to withdraw benefits from deserving veterans and grant them to undeserving

veterans are simply not fairly describing the legislation. The Hartness decision is wrong and should be overturned. How the savings of that action are treated is a fair subject for debate, and I believe we should have that discussion in the context of a conference between the two Veterans' Affairs Committees. I again ask, as I did last week, that the Senator, or Senators, who object to this request to set up a conference with the House advise me of the concerns and see if it might be possible to find a way forward. I am very committed to this legislation and would like to see if we can reach final action before we recess. If we are not able to do so, I intend to renew my efforts in the next Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank my friend, the chairman of the Veterans' Affairs Committee. Let me add for purposes of my colleagues that all the benefits incorporated in S. 1315 that do not have mandatory spending implications have been negotiated between the House and the Senate and are part of another benefits package that I hope will move through the Congress. If there were a conference on S. 1315, the conference would be about only mandatory spending provisions, including mandatory spending for Filipino veterans. The chairman and I have debated this in public, and we are on two different ends. We have done that with civility and I have tried to do it and he has tried to do it with passion and with facts.

At the end of the day, I will lose. There will be a special pension that is created out of the continuing resolution. It will be funded with money that is pulled out of the sky, which we do regularly in Washington.

The House has spoken about the Hartness decision and the fact that they did not want to use that money. I think my chairman will get the benefit he is looking for in the continuing resolution. But for the purposes of those things that affect our veterans that do not require an offset, we did not wait to see the outcome of this bill. We have sat down and negotiated with the House Veterans' Affairs Committee, Republican and Democrat. We have put those additional benefits for our veterans into a benefits package that I feel certain will pass by unanimous consent.

So there is still a disagreement the chairman and I have relative to this new special pension. But at the end of the day, there will be one, assuming there is a continuing resolution, that is passed. It will not be funded out of the Hartness, which is the preference of the House. As a matter of fact, it will not be funded at all. We will pull it out of where we typically pull money, and that is the pockets of future generations of American people.

I thank the Presiding Officer and yield the floor.

RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the call of the Chair.

Thereupon, the Senate, at 4:45 p.m., recessed subject to the call of the Chair and reassembled at 8:48 p.m. when called to order by the Presiding Officer (Ms. CANTWELL).

HONORING RALPH ROSE

Mr. McCONNELL. Madam President, I would like to take a moment to recognize one of our Nation's heroes from World War II. I am proud to say that he is a resident of my home State of Kentucky. His name is Ralph Rose. Mr. Rose is being honored in a Veterans Day ceremony in Hardinsburg, KY, this November for his heroic action in defense of our Nation and for his continued service to veterans in the local community.

Mr. Rose was born in Mystic, KY, in 1922. He entered the U.S. military at age 20. During his time in the Armed Forces, Mr. Rose served in General Patton's Army and fought the Germans in France. But on a fateful night, Mr. Rose and several of his fellow soldiers were captured by Axis forces. He was held as a prisoner of war for more than 8 months until the Allies occupied Munich.

Mr. Rose suffered unimaginable hardships at the hands of the enemy, but by all accounts, he does not dwell on them. In fact, he has said that if given the choice to serve in the Army again—even knowing what he would have to endure as a prisoner of war—he would have done the same thing.

As a true testament to his dedication to the Armed Forces, Mr. Rose continues to serve his country by helping and inspiring other veterans in the Commonwealth.

There is a special flag that honors our American heroes like Mr. Rose. It is called the Prisoner of War/Missing in Action flag, and it has a simple statement at the bottom: "You are not forgotten." Just as surely as that flag sits outside my office each day, I can guarantee you that those whose lives have been touched by Mr. Rose will never forget the sacrifices he made to keep our Nation free and prosperous.

HONORING THE 3RD BATTALION, 320TH FIELD ARTILLERY REGIMENT

Mr. McCONNELL. Madam President, I would like to take a brief moment to recognize the men and women of the 3rd Battalion, 320th Field Artillery Regiment and its subordinate units. The battalion has been assigned to Fort Campbell since 1986. Since then, it has been deployed in support of various military operations around the world—including its current mission in support of the global war on terror.

In November, the members of the 3rd Battalion, 320th Field Artillery will return home to Fort Campbell, to their